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VIA ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Samuel Bankman-Fried*, S6 22 Cr. 673 (LAK)

Dear Judge Kaplan:

On behalf of our client, Samuel Bankman-Fried, we respectfully submit the below proposed jury charge to be included at page 8, line 8 of the Court's draft jury charge as amended per the Government's suggestion during today's charge conference.

In assessing whether the government has proved the existence of a relationship of great confidence and trust, you should consider that such a relationship involves discretionary authority and dependency, and at the heart of the relationship lies reliance, and de facto control and dominance.

This language is adapted from *United States v. Skelly*, 442 F.3d 94, 98-99 (2d Cir. 2006).

Respectfully submitted,

/s/ Mark S. Cohen
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cc: All counsel of record (via ECF)